

**DEPARTMENT OF LOCAL GOVERNMENT FINANCE
100 NORTH SENATE AVENUE
IGC-N, ROOM N1058
INDIANAPOLIS, INDIANA 46204**

**IN THE MATTER OF THE REVIEW)
OF PROPOSED LANGUAGE AND)
ESTIMATED RATE CERTIFICATION)
FOR A BALLOT QUESTION REGARDING) No. 14-008-REF-A
NEW ALBANY-FLOYD COUNTY)
CONSOLIDATED SCHOOL CORPORATION,)
FLOYD COUNTY)**

**FINDINGS AND FINAL DETERMINATION ON PROPOSED QUESTION
RESUBMITTED FEBRUARY 17, 2015**

1. On January 29, 2015, the Department of Local Government Finance (“Department”) approved proposed language for a referendum sought by New Albany-Floyd County Consolidated School Corporation (“Corporation”), which proposes to issue bonds or enter into a lease to finance construction of a new Green Valley School and Slate Run Elementary School and the renovations and improvements at Floyd Knobs Elementary School, Greenville Elementary School and the Prosser Career Education Center, which is estimated to cost not more than \$79,950,000 and is estimated to increase the property tax rate for debt service by \$0.2004 per \$100 of assessed valuation.
2. On February 17, 2015, the Floyd County Election Board (“Board”) notified the Department that the question previously submitted to the Department contained an error. The Board requests that the Department review the following question:

Shall the New Albany-Floyd County Consolidated School Corporation issue bonds or enter into a lease to finance the construction of a new Green Valley School and Slate Run Elementary School and the renovations and improvements at Floyd Knobs Elementary School, Greenville Elementary School and the Prosser Career Education Center, and which is estimated to cost not more than \$79,950,000 and is estimated to increase the property tax rate for debt service by 20.04 cents?
3. Indiana law governs the format and wording of the ballot question for the referendum. Indiana Code 6-1.1-20-3.6(c).
4. Under Indiana law, “the **following question shall** be submitted to the eligible voters at the election”:

“Shall _____ (insert the name of the political subdivision) issue bonds or enter into a lease to finance _____ (insert a brief description of the controlled project), which is estimated to cost not more than _____ (insert the total cost of the project) and is estimated to increase the property tax rate for debt service by _____ (insert increase in tax rate as determined by the department of local government finance)?”

Indiana Code 6-1.1-20-3.6(c) (emphasis added).

5. The ballot question then must contain three parts:
 - a brief description of the project;
 - the estimated total project cost; and
 - the estimated tax rate increase for the project.
6. The law requires the Department to determine the estimate of the tax rate increase.
7. The law also requires the Department to either approve the ballot language or recommend that it be modified to ensure that the description of the controlled project is accurate and not biased.

Determination of Tax Rate Increase

8. The Department estimates the tax rate increase in reliance on the Corporation’s proposed debt from the project, assessed valuation of the property in the area served by the Corporation, and an amortization schedule submitted by the Corporation. Based on this information, the Department certifies a rate of \$0.2004 per \$100 of assessed valuation. This rate accounts for miscellaneous revenues to debt service of approximately 8.19%.

Accuracy and Bias

9. The Department must review the language of the public question to evaluate whether the description of the controlled project is accurate and is not biased against either a vote in favor of or a vote against the controlled project. The Department concludes that the description of the controlled project is not inaccurate and not biased against either a vote in favor of or a vote against the controlled project.

Final Determination

WHEREFORE, based on the above findings and applicable law, the Department finds that the proposed language is in compliance with 6-1.1-20-3.6(c) and approves the language as proposed. The Department certifies a rate of \$0.2004 per \$100 of assessed valuation. This must be the rate stated in the question.

Dated this 18th day of February, 2015.


STATE OF INDIANA
DEPARTMENT OF LOCAL GOVERNMENT FINANCE


Courtney L. Schaafsma, Commissioner
Department of Local Government Finance

STATE OF INDIANA
DEPARTMENT OF LOCAL GOVERNMENT FINANCE

I, Michael E. Duffy, General Counsel for the Department of Local Government Finance, hereby certify that the above is an order of the Commissioner of the Department of Local Government Finance made this date in the above-entitled matter and that the Commissioner has personally signed the same under her statutory authority.

WITNESS MY HAND AND SEAL of the Commissioner on this the 18th day of February, 2015.


Michael E. Duffy, General Counsel
Department of Local Government Finance